

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Atlantic City Medical Center)	File No. EB-09-PA-0298
Licensee of Radio Stations KEM680)	
and WPTM491)	
Pomona, New Jersey)	NOV No. V201032400037
)	
)	

NOTICE OF VIOLATION

Released: April 9, 2010

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules¹ to Atlantic City Medical Center (“ACMC”), the licensee of radio stations KEM680 and WPTM491 in Pomona, New Jersey and Atlantic City, New Jersey.
2. On March 3, 2010, agents of the Commission’s Philadelphia Office inspected the radio transmitting equipment at the Atlanticare Mainland Campus in Pomona, Pennsylvania and at the Atlanticare City Campus in Atlantic City, New Jersey and observed the following violation:

47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part.”
Furthermore, 47 C.F.R. § 1.903(b) states: “The holding of an authorization does not create any rights beyond the terms, conditions and period specified in the authorization.” The agents observed that ACMC was operating the 163.250 MHz paging system and the 504.8875 MHz repeater station at the Mainland Campus in Pomona, New Jersey from an unauthorized location. In addition, ACMC was operating handheld radio transmitting equipment on the unauthorized frequency 502.9125 MHz for the Maintenance Department at the Atlanticare Mainland Campus in Pomona, New Jersey. ACMC was also operating handheld radio transmitting equipment on the unauthorized frequency 469.5375 MHz for the Environmental Services Department at the Atlanticare City Campus in Atlantic City, New Jersey.

¹47 C.F.R. § 1.89.

Federal Communications Commission

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Atlantic City Medical Center must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Atlantic City Medical Center at its address of record.
5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

²47 U.S.C. § 308(b).

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*